IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 18579 of 2007(J)

PETITIONER:

LISSY RAJAN, W/O P.C.RAJAN,
AGED 32 YEARS, PUTHENPURACKAL HOUSE,
SECOND MILE, PALLIVASAL, IDUKKI DISTRICT.

BY ADV. SRI.DENIZEN KOMATH

RESPONDENTS:

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1. SUPERINTENDENT OF POLICE, IDUKKI.

2. CIRCLE INSPECTOR OF POLICE,
ADIMALI CIRCLE, IDUKKI.

3. SUB INSPECTOR OF POLICE,
VELLATHOOVAL POLICE STATION,
IDUKKI DISTRICT.

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.18579 OF 2007

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE PHOTOCOPY OF THE JUDGMENT IN WPC NO.14050/07 DATED 2/5/2007.

EXT.P2:- TRUE PHOTOCOPY OF THE COMPLAINT PREFERRED BY PETITIONER BEFORE THE JUDICIAL FIRST CLASS MAGISTRATE COURT, ADIMALI.

EXT.P3:- TRUE PHOTOCOPY OF THE FIRST INFORMATION REPORT.

EXT.P4:- TRUE PHOTOCOPY OF THE STATEMENT FILED BY THE 3RD RESPONDENT IN WPC NO.13941/07.

[TRUE COPY]

R.BASANT, J.

W.P.C.No.18579 of 2007

Dated this the 9th day of July 2007

J U D G M E N T

The short grievance of the petitioner is that no proper investigation is being conducted into crime No.91/07 of Vellathooval police station, Idukki which has been registered on the basis of a private complaint filed by the petitioner before the learned Magistrate and which complaint was referred to the police for investigation under Section 156(3) Cr.P.C.

2. The learned Public Prosecutor was directed to take instructions. The learned Public Prosecutor has got a statement filed by the investigating officer, the second respondent herein. The learned Public Prosecutor submits that the needful is being done for the proper conduct of the investigation. Even though allegations under Section 307 read with 149 I.P.C were raised initially, in the course of the investigation, a report has been filed deleting the allegations under Section 307 and 149 I.P.C. The needful is being done. A proper and efficient investigation shall be conducted and the same shall be completed expeditiously, submits the learned Public Prosecutor.

3. The learned counsel for the petitioner submits that no proper investigation has been conducted before deleting the allegations under Section 307 I.P.C.

4. I am, in these circumstances, satisfied that a direction can be issued to the third respondent to complete the investigation, as expeditiously as possible, at any rate, within a period of four months from this date. Appropriate directions shall be issued to the first respondent also to properly monitor the investigation.

5. In the result, this petition is allowed. The third respondent is directed to complete the investigation in crime No.91/07 of Vellathooval police station, as expeditiously as possible, at any rate, within a period of four months from this date. The first respondent, Superintendent of Police, Idukki shall ensure that the investigation is properly monitored and supervised and the direction above is complied with letter and spirit.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007